

FILED

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

JUN 29 2005

CLERK
U.S. DISTRICT COURT
MIDDLE DIST. OF ALA.

UNITED STATES OF AMERICA

v.

HOUSTON MIKE HOLLY, and
JOHNNIE GRIMES d/b/a
GRIMES GROCERY

)
) CR. NO. 1:05 CR 152-T

) [21 USC 846;
) 21 USC 841(a)(1);
) 21 USC 841(c)(2);
) 18 USC 2]

) INDICTMENT

The Grand Jury charges:

COUNT 1

Beginning in or about June, 2000, and continuing to on or about January 25, 2002, the exact dates being unknown to the Grand Jury, in Coffee County, Alabama, within the Middle District of Alabama and elsewhere,

HOUSTON MIKE HOLLY, and
JOHNNIE GRIMES d/b/a GRIMES GROCERY,

defendants herein, did knowingly and willfully combine, conspire, confederate and agree together with other persons known and unknown to manufacture five grams or more of methamphetamine, a Schedule II controlled substance. All in violation of Title 21, United States Code, Sections 841(a)(1) and 846.

COUNT 2

On or about January 24, 2002, in Coffee County, Alabama, within the Middle District of Alabama,

HOUSTON MIKE HOLLY, and
JOHNNIE GRIMES d/b/a GRIMES GROCERY,

defendants herein, while aiding and abetting each other and others known and unknown to the Grand

Jury, did knowingly and intentionally possess and distribute pseudoephedrine, a Schedule I listed chemical, knowing and having reasonable cause to believe that the listed chemical would be used to manufacture methamphetamine, a controlled substance, in violation of Title 21, United States Code, Section 841(c)(2), and Title 18, United States Code, Section 2.

COUNT 3

On or about January 25, 2002, in Coffee County, Alabama, within the Middle District of Alabama,

HOUSTON MIKE HOLLY, and
JOHNNIE GRIMES d/b/a GRIMES GROCERY,

defendants herein, while aiding and abetting each other and others known and unknown to the Grand Jury, did knowingly and intentionally possess and distribute pseudoephedrine, a Schedule I listed chemical, knowing and having reasonable cause to believe that the listed chemical would be used to manufacture methamphetamine, a controlled substance, in violation of Title 21, United States Code, Section 841(c)(2), and Title 18, United States Code, Section 2.

Forfeiture Allegation

A. Counts 1 through 3 of this indictment are hereby repeated and incorporated herein by reference.

B. Upon conviction for violation of Title 21, United States Code, Sections 841 and 846, as alleged in Count 1 and/or Title 21, United States Code, Section 841, and Title 18, United States Code, Section 2, as alleged in Counts 2 and 3 of this indictment, the defendants,

HOUSTON MIKE HOLLEY, and
JOHNNIE GRIMES d/b/a GRIMES GROCERY,

shall forfeit to the United States pursuant to Title 21, United States Code, Section 853, any and all property constituting or derived from any proceeds the said defendants obtained directly or indirectly

as a result of the said violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Counts 1 through 3 of this indictment, including but not limited to the following:

All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, located at 5138 County Road 636, Enterprise, Coffee County, Alabama, being further described as follows:

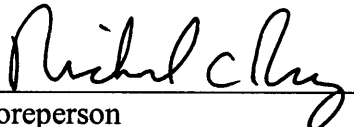
Parcel Number 003.000, County 19, Township 18, Area 02, Section 09, 1/4 0, Block 000 as shown on the Parcel Summary for said tract by Coffee County, Alabama.

C. If any of the forfeitable property described in this forfeiture allegation, as a result of any act or omission of the defendants:


- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or,

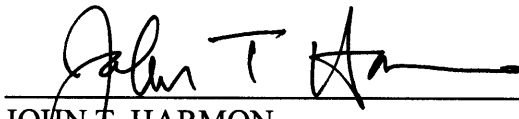
(5) has been commingled with other property which cannot be subdivided without difficulty; the United States, pursuant to Title 21, United States Code, Section 853, intends to seek an order of this Court forfeiting any other property of said defendants up to the value of the forfeitable property, all in violation of Title 21, United States Code, Sections 841, 846, and 853, and Title 18, United States Code, Section 2.

A TRUE BILL:


Foreperson


LEURA GARRETT CANARY
UNITED STATES ATTORNEY


TOMMIE BROWN HARDWICK
Assistant United States Attorney


JOHN T. HARMON
Assistant United States Attorney